

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Nathan Ravell

v.

Civil No. 10-cv-420-JL

New Hampshire State
Prison, Warden

O R D E R

Pursuant to the court's order of December 10, 2010, the petition shall proceed on the exhausted claims only. The petition shall be served upon Richard M. Gerry, Warden of the New Hampshire State Prison, who shall file an answer or other pleading in response to the allegations made therein. See Rule 4 of Rules Governing Section 2254 Cases (hereinafter § 2254 Rules) (requiring reviewing judge to order a response to the petition). The Clerk's office is directed to serve the New Hampshire Office of the Attorney General, as provided in the Agreement on Acceptance of Service, electronic copies of: this Order; the November 17, 2010 order (doc. no. 4); Ravell's Response to Order (doc. no. 5); and the original habeas petition, with the attachments thereto (doc. no. 1).

The Warden shall answer or otherwise plead within thirty (30) days of the date of this Order. The answer shall comply with the requirements of § 2254 Rule 5 (setting forth contents of the answer).

Upon receipt of the response, the Court will determine whether a hearing is warranted. See § 2254 Rule 8 (providing circumstances under which a hearing is appropriate).

Petitioner is referred to Fed. R. Civ. P. 5, which requires that every pleading, written motion, notice, and similar paper, after the petition, shall be served on all parties. Such service is to be made by mailing the material to the parties' attorney(s).

SO ORDERED.

A handwritten signature in black ink, appearing to read "Joe Laplante", written over a horizontal line.

Joseph N. Laplante
United States District Judge

Dated: December 15, 2010

cc: Nathan Ravell, pro se